

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

BARRY WILLIAMS

Plaintiff

vs.

EDWARD KLEM, et al.,

Defendants

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CIVIL NO. 1:CV-07-1044

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On this 19th day of July, 2011, we are considering the Report and Recommendation of Magistrate Judge Carlson (doc. 103) and plaintiff's objections thereto (doc. 104). After full consideration of the report, plaintiff's objections, as well as the record, it is ORDERED that the report is accepted.

Pursuant to Judge' Carlson's recommendation it is ORDERED as follows:

1. Defendants' motion for summary judgment on the claims against Officer Vance is granted.
2. Defendants' motion for summary judgment on the claims against Officer Clark are denied in part. The motion is granted as to verbal taunts only.
3. Defendants' motion for summary judgment are otherwise denied and the case shall proceed against defendants Gower, Piskorik, Dreher, Andrascavage, and Clark.
4. This case is listed for jury trial at the November 2011 trial term, which begins on November 7, 2011.

/s/William W. Caldwell

William W. Caldwell

United States District Judge